

105TH CONGRESS  
1ST SESSION

# H. R. 1393

To amend the Toxic Substances Control Act to establish certain requirements regarding the approval of facilities for the disposal of polychlorinated biphenyls, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 1997

Ms. RIVERS introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Toxic Substances Control Act to establish certain requirements regarding the approval of facilities for the disposal of polychlorinated biphenyls, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. APPROVAL OF PCB DISPOSAL FACILITIES.**

4       (a) STANDARD.—Section 6(e)(1) of the Toxic Sub-  
5       stances Control Act is amended by inserting the following  
6       before the last sentence: “The Administrator shall approve  
7       the construction of a facility for the disposal of poly-  
8       chlorinated biphenyls only if the construction of such facil-

1 ity is in the public interest and the design, location and  
2 operation of such facility will protect public health and the  
3 environment.”.

4 (b) JUDICIAL REVIEW.—Section 19(a)(1)(A) of the  
5 Toxic Substances Control Act is amended by inserting “or  
6 after the approval of a facility under section 6(e)(1) for  
7 the disposal of polychlorinated biphenyls” after “or IV”  
8 and by inserting “or approval” after “for review of such  
9 rule”.

10 (c) PUBLIC PARTICIPATION.—Section 6(e) of the  
11 Toxic Substances Control Act is amended by adding the  
12 following after paragraph (5):

13 “(6) The public participation requirements set forth  
14 in section 7004(b)(2) of the Solid Waste Disposal Act  
15 (and the regulations of the Administrator thereunder)  
16 shall apply to the approval by the Administrator of a facil-  
17 ity for the disposal of polychlorinated biphenyls in the  
18 same manner as such requirements apply to the issuance  
19 of a permit under section 3005 of the Solid Waste Dis-  
20 posal Act for a facility for the treatment, storage or dis-  
21 posal of hazardous waste.”.

22 (d) RECORD OF VIOLATIONS.—Section 6(e) of the  
23 Toxic Substances Control Act is amended by adding the  
24 following after paragraph (6):

1       “(7) The Administrator shall not approve the con-  
2   struction of any facility for the disposal of polychlorinated  
3   biphenyls unless the owner or operator of the facility noti-  
4   fies the Administrator, and the Administrator makes  
5   available to the public, a record of all violations (prior to  
6   the date of such approval) by such owner or operator of  
7   laws and rules administered by the Administrator and all  
8   orders issued by the Administrator and all programs ad-  
9   ministered by a State that have been approved by the Ad-  
10   ministrator pursuant to Federal law.”.

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